

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 In re:

CASE NO. C17-1189-JCC

10 MARAT TIMURSHIN

MINUTE ORDER

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12 Debtor.
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15 The following Minute Order is made by direction of the Court, the Honorable John C.
16 Coughenour, United States District Judge:

17 This matter comes before the Court *sua sponte*. The Court has reviewed the parties'
18 briefings and determined that the record on appeal is incomplete. Pursuant to Federal Rule of
19 Bankruptcy Procedure 8009(a)(4), the record on appeal must include "any opinion, findings of
20 fact, and conclusions of law relating to the issues on appeal, including transcripts of all oral
21 rulings." The appellant has a duty to obtain a "transcript of such parts of the proceedings not
22 already on file as the appellant considers necessary for the appeal" *Id.* at (b)(1)(A). The
23 District Court may supplement or correct an incomplete record while the appeal is pending. *Id.* at
24 (e)(2)(C).

25 On appeal, Appellant challenges the Bankruptcy Court's order denying his motion to
26 extend the automatic stay and the Court's denial of his motion for reconsideration. (Dkt. No. 7 at

3.) On July 6, 2017, the Bankruptcy Court held a hearing regarding Appellants' motion to extend the automatic stay. In its order denying Appellant's motion, the Bankruptcy Court incorporated by reference its oral findings of fact and conclusions of law from the July hearing. *See In re Murat Timurshin*, No. 17-12798-CMA, Dkt. No. 28 at 1 (Bankr. W.D. Wash, July 6, 2017). Appellant's argument on appeal directly challenges the Bankruptcy Court's findings of fact and conclusions of law made at the July 6, 2017 hearing. (*See generally*, Dkt. No. 7.) But, Appellant did not include the transcript of the July 6, 2017 hearing as part of the record on appeal.

Appellant is ORDERED to obtain and file a transcript of the July 6, 2017 hearing with the Clerk of Court no later than January 5, 2018. Appellant is further ORDERED to submit a paper copy of the record, including the above transcript, to the Clerk of Court, attention the Honorable John C. Coughenour, no later than January 5, 2018. The Clerk is DIRECTED to renote Appellant's Bankruptcy Appeal (Dkt. No. 6) for January 19, 2018.

DATED this 19th day of December 2017.

William M. McCool
Clerk of Court

s/Tomas Hernandez
Deputy Clerk